

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 275 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE A.R.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
5. Whether it is to be circulated to the Civil Judge? : NO

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DY.ENGINEER (O & M),GEB

Versus

TAX KRIMP UNIT

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Appearance:

MR RC JANI for Petitioner

MR TS NANAVATI for Respondent No. 1

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CORAM : MR.JUSTICE A.R.DAVE

Date of decision: 10/09/1999

ORAL JUDGEMENT

With consent of the learned Advocates for the parties, the appeal is finally heard today.

After hearing the concerned learned Advocates, following directions are given.

It is submitted by the learned Advocate for the

respondent that the total amount due and payable by the respondent-plaintiff to the appellant-Gujarat Electricity Board (for short 'the Board') was Rs.3,38,145/- and out of the said amount, Rs. 89,855/- have already been paid by the respondent-plaintiff during the pendency of the suit. Thus, a sum of Rs.2,48,289/- is payable at present by the respondent-plaintiff. This fact has not been disputed by the learned Advocate for the appellant.

2. It is agreed that the respondent shall pay a sum of Rupees One Lakh within a period of 10 days from today to the Board. Upon payment of the said amount, the Board shall start supplying electricity to the respondent. On or before 21.10.1999, a further sum of Rupees One lakh shall be paid by the respondent to the Board. If the said amount is not paid on or before 21.10.1999, it will be open to the appellant-Board to disconnect the electricity supply. The amount so paid shall be adjusted against the amount which might ultimately become payable by the respondent to the appellant-Board at the end of the trial. Needless to say that the said payment is being made by the respondent without prejudice to the rights and contentions which have been raised in the suit.

3. It is also agreed that during the pendency of the suit, the respondent shall go on paying its electricity supply charges regularly.

4. In view of the aforesaid order, this appeal is allowed. No order as to costs.

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